4012. Adulteration and misbranding of vitamin tablets. U. S. v. 28 Bottles * * *. (F. D. C. No. 34575. Sample No. 17231–L.)

LIBEL FILED: February 2, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about September 1 and October 25, 1950, and December 28, 1951, from Newark, N. J.

PRODUCT: 28 100-tablet bottles of *vitamin tablets* at Los Angeles, Calif. Analysis showed that the product contained 27 percent of the declared amount of vitamin B_1 (thiamine hydrochloride).

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 10 milligrams of thiamine hydrochloride (vitamin B_1) per tablet.

Misbranding, Section 502 (a), the label statement "Each Tablet Contains: * * * Thiamine Hydrochloride 10 Mg." was false and misleading as applied to an article which contained less than 10 milligrams of thiamine hydrochloride (vitamin B_1) per tablet.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: March 6, 1953. Decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

4013. Misbranding of Ca-Ma-Sil Antacid Powder. U. S. v. 11 Cans * * *. (F. D. C. No. 31149. Sample No. 1510–L.)

LIBEL FILED: May 21, 1951, Middle District of Georgia.

ALLEGED SHIPMENT: On or about February 15, 1951, by the Ca-Ma-Sil Co., from Baltimore, Md.

PRODUCT: 11 cans of *Ca-Ma-Sil Antacid Powder* at Meigs, Ga.

LABEL, IN PART: "Ca-Ma-Sil Antacid Powder Net Weight 6 Oz. Contains: Magnesium Silicate * * * Diammonium Hydrogen Phosphate, Calcium Carbonate, Peppermint Oil, Aromatics and Saccharin."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, in a leaflet and circular entitled "New Treatment For Peptic Ulcer and Hyperacidity" and in a brochure entitled "Improved Therapy for Duodenal and Gastric Ulcer," which accompanied the article, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for duodenal and gastric ulcer, whereas the article was not an adequate and effective treatment for such conditions.

DISPOSITION: June 29, 1951. Default decree of condemnation and destruction.

4014. Misbranding of Rumarid. U. S. v. 373 Bottles, etc. (F. D. C. No. 32222. Sample Nos. 29790–L, 29791–L.)

LIBEL FILED: December 10, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about October 3, 1951, by Stanley Drug Products, Inc., from Portland, Oreg.

*See also No. 4012.

PRODUCT: *Rumarid.* 373 100-tablet bottles and 219 250-tablet bottles, together with a number of leaflets headed "A New Formula" which were included in the carton containing each 100-tablet bottle, in the possession of the Bartell Drug Co., Seattle, Wash.

RESULTS OF INVESTIGATION: Displayed on the window of one of the retail stores of the consignee, at Seattle, Wash., was a circular placard headed "A New Relief from Pain! Rumarid." On display in this same store, together with unit cartons and bottles of the article, were a number of leaflets headed "New" and a large rectangular placard headed "Rumarid." These placards and leaflets were included in the shipment with the article. Attached to a stand in this store was a tear sheet from the Seattle Times headed "Pain Relief."

LABEL, IN PART: (Bottle and carton) "Rumarid * * * Each Tablet Contains: Acetylsalicylic Acid 3.5 grains, Caffeine .5 grain, Thiamine Chloride (B–1) 1 milligram, Ascorbic Acid 10 milligrams, Magnesium Salicylate 1.5 grains, Calcium Succinate 1 grain, Calcium Glutamate 1 grain."

NATURE OF CHARGE: Misbranding, Section 502 (a), the name "Rumarid" and certain statements and designs in the accompanying labeling were false and misleading. The name "Rumarid" and the statements and designs represented and suggested that the article was capable of ridding the body of rheumatic conditions; that the article was a new and adequate and effective treatment for arthritis, rheumatism, neuritis, sciatica, and bursitis; that the United States Patent Office had issued a patent for *Rumarid;* that the article contained a new and effective ingredient called Renelon; that it contained as an ingredient calcium acetylsalicylate; and that caffeine, thiamine chloride, ascorbic acid, calcium succinate, and calcium glutamate are active ingredients to effect the claimed purposes of the article. The article was not capable of ridding the body of rheumatic conditions, and it was not a new and adequate and effective treatment for arthritis, rheumatism, neuritis, sciatica, and bursitis; the United States Patent Office had not issued a patent for *Rumarid;* Renelon is not the common or usual name of any known drug; the article did not contain calcium acetylsalicylate as an ingredient; and caffeine, thiamine chloride, calcium succinate, and calcium glutamate are not active ingredients to effect the claimed purposes of the article.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient since the ingredient declared as acetylsalicylic acid is not declared by its common or usual name, aspirin.

The article was misbranded in the above respects when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: December 21, 1951. Stanley Drug Products, Inc., Portland, Oreg., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency. The product was brought into compliance with the law by the relabeling of the bottles and the destruction of the cartons, leaflets, and other display material.

4015. Misbranding of Desert-Air Lamp. U. S. v. 74 Devices, etc. (F. D. C. No. 30924. Sample No. 10132–L.)

LIBEL FILED: April 16, 1951, Eastern District of Michigan; amended libel filed April 19, 1951.

ALLEGED SHIPMENT: On or about September 26, 1950, and February 27, 1951, by the Dal Corp., from Hollywood, Calif.